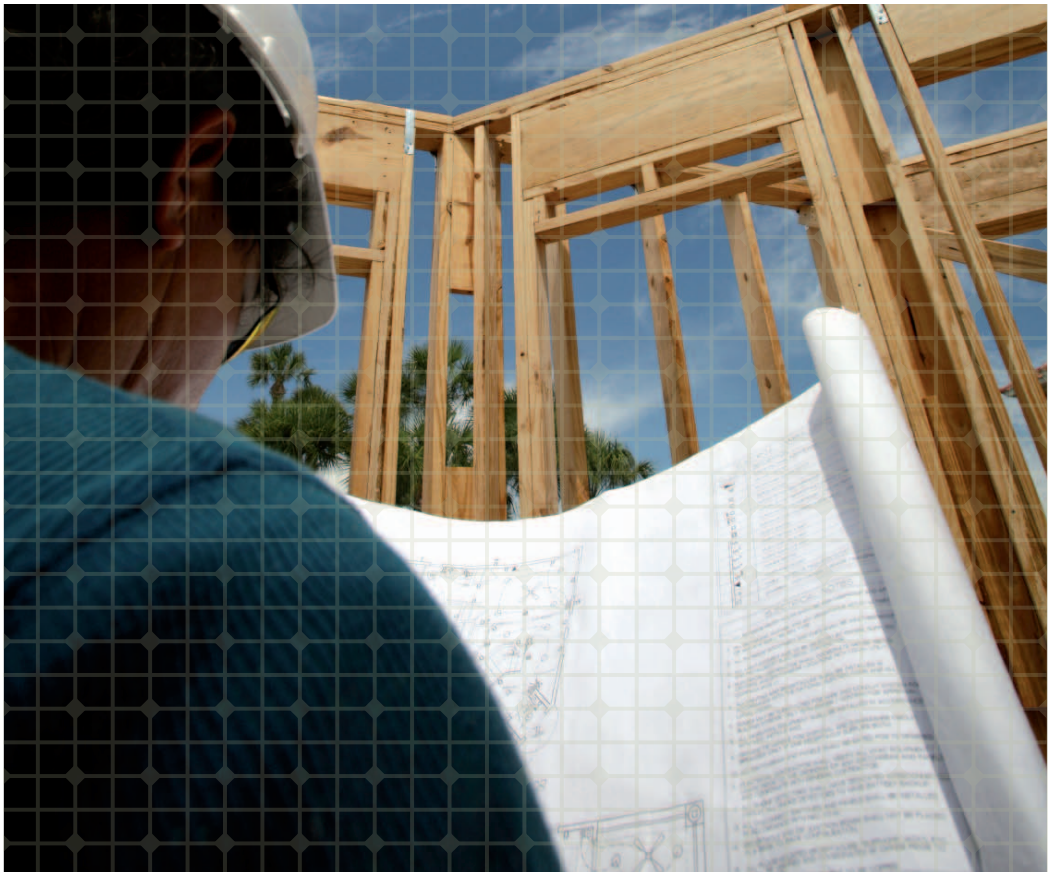


Building Practitioners Board Annual Report 30 June 2010



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Role and functions of the Board

The Building Practitioners Board (the Board) is responsible under the Building Act 2004 for the Licensed Building Practitioners scheme (the scheme). The Board is committed to supporting the capability of New Zealand's building construction industry and maintaining building practitioner standards.

The Board is independent of the Department of Building and Housing (the Department), but is supported by the Department in the performance of its role and functions. It is a statutory Board.

The functions of the Board are to:

- approve Rules for licensed building practitioners (LBPs)
- hear appeals against licensing decisions of the Registrar of LBPs
- investigate and hear complaints about LBPs
- review and report to the Minister of Building and Construction (the Minister) each year on its operations.

Chairman's Review

In the past year, the Board made a significant contribution to the Licensed Building Practitioners scheme, the Licensed Building Practitioners Rules and the Board's Complaints Procedures.

The Government began a review of the Building Act in August 2009. The review is intended to identify reforms to the Building Act that will reduce regulation and administration costs but not the quality of the building control system. In February 2010, a number of options for reform were put forward for consultation. The proposed options were set out in the discussion document, *Cost-effective quality: next generation building control in New Zealand*. The Board provided the Department of Building and Housing with a submission in response to this review. The Board is waiting for the Building Act review amendments to be passed to consider the implications the changes will bring.

In September 2009, the Government announced initiatives to streamline and simplify the scheme, and the Board worked on a number of tasks to support these changes.

The Board worked with the Department to provide input and approve amendments to the Licensed Building Practitioner Rules. Licensing applicants with a recognised qualification now find it is easier and faster to get licensed. A single Design licence class, a single Site licence class, and a new Foundations licence class have also been introduced.

The Board amended the Complaints Procedures to further define the Board's role in hearing complaints in November 2009, consequent to the passing of the Building Practitioners (Complaints and Disciplinary Procedures) Regulations 2008.

The Board heard no appeals in the 2009/10 year. The Board received two complaints about the quality of building practitioners' work, one was dismissed and the other is awaiting consideration from the Board.

The Board is looking forward to the Department's implementation of a marketing campaign promoting the scheme to building practitioners and consumers. The marketing drive, with a planned implementation of late 2010 and 2011, is expected to result in an increase in knowledge and

awareness of the scheme, and a significant increase in the number of building practitioners becoming licensed. The expansion of the scheme is likely to lead to an increase in the number of appeals and complaints the Board will receive in 2011/12.

In June 2010, we farewelled two valued Board members – Graham Moor and Patrick Lawrence, whose terms expired. Both Graham and Patrick had been members since the Board’s inception in 2005. Both these members added significant value to the Board’s work – Graham through his strong association with the roofing industry and Patrick through his lengthy involvement with local authority building consent and compliance services. The service of these two retiring members is gratefully acknowledged by their colleagues on the Board.

We welcome two new Board members – Bill Smith and Brian Nightingale. Both Bill and Brian bring extensive management, commercial and financial experience to the Board.

I would once again like to acknowledge the excellent support and advice provided to the Board by the Department. I would also like to thank our industry partners for their valued assistance in the preparation of the Foundations class competencies and the recognised qualifications for streamlined applications – their work is critical to this process.

Finally, I would like to acknowledge the efforts and professionalism of the Board’s members. In particular, I acknowledge the support of the Deputy Chair, Paul Blackler, and thank him for his support and willingness to deputise for me whenever required notwithstanding his busy schedule.

The Board is looking forward to 2011 with the implementation of the Department’s licensing marketing campaign and the increase in licensing applications and interest this is expected to bring.

I am pleased to present the Building Practitioners Annual Report June 2010.

A handwritten signature in black ink that reads "Alan Bickers." The signature is written in a cursive style with a long horizontal line extending to the left and another extending to the right.

Alan Bickers, JP
Chairman

Objectives and Outcomes 2009/10

OBJECTIVES

The Board's objectives for 2009/10 were to:

- consider and approve amendments to the Rules
- improve procedures
- consider appeals
- consider complaints
- conduct regular Board meetings

The Board has achieved these objectives by its performance in the areas outlined below.

LICENCED BUILDING PRACTITIONER RULES

Licence Building Practitioners Rules (the Rules) set the minimum standards of competence for building practitioners to become licensed, and detail the procedures for assessing competence, collecting information, and issuing and cancelling licence cards, consistent with the Building Act. The Department develops the Rules in consultation with the Board. The Board approves the Rules. In 2009/10 two sets of amendments were made to the Rules.

February 2010 Rules amendments

In February 2010, the Government amended the scheme and the Rules to allow people with certain recognised qualifications to apply to become licensed using a faster, streamlined assessment process. The Board considered and approved the amendments to the Rules, and they came into effect on 15 February 2010.

April 2010 Rules amendments

In April 2010, the Government further amended the scheme and Rules, launching a second tier of streamlining measures to reduce cost and complexity of becoming licensed. This included the introduction of a single Design and a single Site licence class, the introduction of a new

Foundations licence class, the setting out of recognised qualifications, and enabling the area of practice to be displayed on the licence identification card. The Board considered and approved the amendments to the Rules, and they came into effect on 1 April 2010.

PROCEDURES

The Board updated the Complaints Procedures in November 2009 to further streamline the complaints processes.

APPEALS

The appeals process is available for building practitioners who want to question the Registrar's decision to decline an application to become licensed, or to suspend or cancel a licence per the Building Act 2004. The Board received no appeals in 2009/10.

Appeal hearing outcomes are available online at www.dbh.govt.nz

COMPLAINTS

Anyone may complain to the Board about the conduct of a LBP in accordance with the Building Act. The Board must investigate the complaint and determine whether or not to proceed to a hearing.

The Board received two complaints in 2009/10. The Board dismissed the first complaint without a hearing because the LBP was not licensed at the time the work being complained about was undertaken. The Board has not yet considered the second complaint. The subject matter of this complaint is subject to separate legal proceedings and the Board is awaiting the outcome of those before further considering this complaint.

BOARD MEETINGS

The Board held eight Board meetings in 2009/10.

Statement of Service Performance

Performance measures and standards for the outputs of the Board for the year ended 30 June 2010.

OUTPUT	PERFORMANCE MEASURE	PERFORMANCE STANDARD ACHIEVED
Rules Approve Rules relating to LBPs	Approve or decline all proposed Rules within 15 working days of receipt from the Department.	The Board approved the Licensed Building Practitioner Amendment Rules 2010 in February 2010 and April 2010. Proposed Rules were dealt with within 15 working days of receipt from the Department.
Appeals Hear appeals against decisions of the Registrar	<ol style="list-style-type: none"> 1. Hear and determine appeals within three months of receipt. 2. Number of appeals received. 3. Number of appeals heard. 	No appeals were heard in 2009/10.
Complaints Investigate and hear complaints, and discipline LBPs in accordance with Regulations	<ol style="list-style-type: none"> 1. Hear and determine complaints within five months of receipt. 2. Number of complaints received. 3. Number of complaints investigated. 4. Number of disciplinary hearings. 5. Number of LBPs disciplined. 	No complaints were heard in 2009/10. Two complaints were received, one being invalid and the other pending the result of legal proceedings.
Accountability Produce Annual Report in accordance with section 347 of the Building Act	Annual report provided to the Minister by 30 October.	The Board provided the 2008/09 Annual Report to the Minister in October 2009.

OUTPUT	PERFORMANCE MEASURE	PERFORMANCE STANDARD ACHIEVED
<p>Board self-review</p> <p>Undertake Board self-review of Board performance</p>	<p>Board self-review completed by 30 October.</p>	<p>A Board self review was completed in November 2009.</p>
<p>Board members' interests register</p> <p>Board members' interests register in place</p>	<p>Board members' interests register reviewed and updated at the start of each Board meeting. Other possible conflicts of interest recorded in minutes.</p>	<p>Board members' interests were reviewed and updated at the start of each Board meeting and any conflicts recorded in the minutes.</p>
<p>Training and Development</p> <p>Provide training and professional development for Board members in performance of functions</p>	<p>At least one day's training each year for Board members (collective or individual).</p>	<p>No training was undertaken in 2009/10. Board training is planned for 2010/11 when the direction of the Building Act review and the role of the scheme have been better defined.</p>

Licensing

RESTRICTED BUILDING WORK

Restricted building work is building work that is critical to the integrity of the building.

Government has agreed that restricted building work will cover:

- the design and construction of the primary structure and external moisture management system for houses and small to medium sized apartment buildings
- the design of fire safety systems for small-medium sized apartment buildings

The restricted building work regulations are currently being drafted and will come into effect on 1 March 2012, at which time, all restricted building work will be required to be carried out or supervised by a licensed building practitioner holding the appropriate licence.

LICENCE CLASSES

Licence classes are based on specific roles or occupations that are integral to the design and construction of a building. There are now seven licence classes building practitioners may become licensed in, with the most recent addition being the Foundations licence class, introduced in April 2010.

LICENCE CLASS	INTRODUCED
Carpentry	1 November 2007
Site	1 November 2007
Design	1 November 2007
External Plastering	1 November 2008
Bricklaying & Blocklaying	1 November 2008
Roofing	1 November 2008
Foundations	1 April 2010

AREAS OF PRACTICE

All licence classes, except Carpentry, have areas of practice, which recognise the different types of work an LBP may do within a licensing class.

In April 2010, changes were made to the structure of the Site and Design classes. Single Site and single Design licence classes were introduced to replace the previous three Site and three Design licence classes. The Site and Design classes now each have three areas of practice, based on three new simplified building categories.

The new building categories are complexity based, ranging from simple low risk dwellings in category 1 to complex multi-storey commercial in category 3.

The seven licence classes with associated areas of practice are set out below:

LICENCE CLASS	AREA OF PRACTICE	DESCRIPTION
Carpentry	No areas of practice	Carpentry work on any category of building
Site	S1	Coordinate and oversee the construction or alteration of Category 1 buildings
	S2	Coordinate and oversee the construction or alteration of Category 1, 2 and 3 buildings
	S3	Manage some or all of the construction or alteration of Category 1, 2 and 3 buildings
Design	D1	Design Category 1 buildings
	D2	Design Category 1 and 2 buildings
	D3	Design Category 1, 2 or 3 buildings
External Plastering	E1	Solid plastering
	E2	Proprietary plaster cladding systems (PPCS)
Foundations	F1	Concrete foundation walls and concrete slab-on-ground
	F2	Concrete or timber pile foundations
Bricklaying & Blocklaying	B1	Veneer
	B2	Structural masonry

LICENCE CLASS	AREA OF PRACTICE	DESCRIPTION
Roofing	R1	Concrete or clay tile roof
	R2	Profiled metal roof and/or wall cladding
	R3	Metal tile roof
	R4	Roof membrane
	R5	Torch on roof membrane
	R6	Liquid membrane roof
	R7	Shingle or slate roof

OTHER OCCUPATIONAL LICENSING SCHEMES

Some building practitioners, such as engineers and architects, are already licensed or registered under an existing occupational licensing scheme.

From April 2010, chartered professional engineers are treated as if they are licensed in Site (area of practice 3) under the LBP scheme, and licensed/certifying plumbers and gasfitters are treated as if they are licensed in Roofing, External Plastering, and Bricklaying and Blocklaying.

STREAMLINED APPLICATIONS FOR QUALIFIED PRACTITIONERS

From April 2010, building practitioners holding a qualification recognised under the LBP scheme became able to apply for licensing using a streamlined application process. This process makes it easier and faster to become licensed.

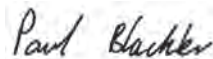
Applicants with a recognised qualification must be able to demonstrate the same competencies as people without recognised qualifications.

MARKETING PLAN

The Department will be implementing a marketing plan in 2010/11 to drive LBP recruitment and inform consumers. The plan will help ensure that adequate numbers of building practitioners are available for restricted building work.



Alan Bickers, JP
Chairman



Paul Blackler
Deputy Chairman

29, September 2010

Licensing statistics

NUMBER OF LBPS AND LICENCE CLASSES APPROVED IN

	NUMBER OF LBPS	NUMBER OF LICENCE CLASSES APPROVED IN
At 30 June 2008	196	326
At 30 June 2009	634	1,026
At 30 June 2010	1,154	1,744

Notes:

1. Because some LBPs may be licensed in more than one class, the number of licence classes approved in is higher than the number of LBPs.
2. In these figures a small number of suspended and cancelled LBPs are included.

NUMBER OF LBPS BY LICENCE CLASS

	CARPENTRY	SITE	DESIGN	EXTERNAL PLASTERING	BRICKLAYING & BLOCKLAYING	FOUNDATIONS	ROOFING	TOTAL
At 30 June 2008	138	166	22	-	-	-	-	326
At 30 June 2009	412	534	71	1	4	-	4	1,026
At 30 June 2010	729	860	102	7	15	-	31	1,744

Notes:

1. In these figures a small number of suspended and cancelled LBPs are included.

Appeal statistics

NUMBER OF APPEALS HEARD, DECLINED AND UPHELD

	CARPENTRY	SITE	DESIGN	PLASTERING	BRICKLAYING & BLOCKLAYING	FOUNDATIONS	ROOFING	TOTAL
APPEALS HEARD								
2007/08	-	-	1	-	-	-	-	1
2008/09	-	-	4	-	-	-	-	4
2009/10	-	-	-	-	-	-	-	-
TOTAL	-	-	5	-	-	-	-	5
APPEALS DECLINED								
2007/08	-	-	1	-	-	-	-	1
2008/09	-	-	3	-	-	-	-	3
2009/10	-	-	-	-	-	-	-	-
TOTAL	-	-	4	-	-	-	-	4
APPEALS UPHELD								
2007/08	-	-	-	-	-	-	-	-
2008/09	-	-	1	-	-	-	-	1
2009/10	-	-	-	-	-	-	-	-
TOTAL	-	-	1	-	-	-	-	1

Statement of Financial Performance

The information contained in this statement will form part of the Department's consolidated statements. The Board is not a body corporate.

2009/10 FINANCIAL PERFORMANCE

	ACTUAL 2009/2010 \$	ESTIMATE 2009/2010 \$
Revenue		
Department of Building & Housing	121,951	307,716
Licensed Building Practitioners Board Levies	12,839	14,900
TOTAL REVENUE	134,790	322,616
Expenses		
Personnel (Board Secretary)	30,275	30,225
Board fees and costs (Board member fees, travel, food, accommodation, venue hire, catering, training, conferences)	66,369	253,255
Operating (All other costs)	38,146	39,136
TOTAL EXPENSES	134,790	322,616

Notes:

1. The Department is responsible under the Building Act 2004 for funding the Board and managing the Board's finances and accounts.
2. The Department has prepared the 'Statement of Financial Performance' for the Board.
3. The actual 2009/10 Board fees and costs were lower than the estimated Board fees and costs due to the lower than expected numbers of appeals and complaints heard.

PREVIOUS FIVE YEARS' FINANCIAL PERFORMANCE

	ACTUAL 2005/06 \$	ACTUAL 2006/07 \$	ACTUAL 2007/08 \$	ACTUAL 2008/09 \$	ACTUAL 2009/10 \$
Revenue					
Department of Building & Housing	121,438	149,944	146,440	136,180	121,951
Licensed Building Practitioners Board Levies	0	0	0	0	12,839
TOTAL REVENUE	121,438	149,944	146,440	136,180	134,790
Expenses					
Personnel (Board Secretary)	28,741	40,484	35,619	28,166	30,275
Board fees and costs	42,080	38,825	47,211	52,109	66,369
Operating (All other costs)	50,617	70,635	63,610	55,905	38,146
TOTAL EXPENSES	121,438	149,944	146,440	136,180	134,790

Notes:

1. In the first 4 years of operation (financial years 2005/06 to 2008/09), 'Board fees' included only fees paid to Board members.
2. In 2009/10 'Board fees and costs' have been reported together (Board costs include such things as travel, accommodation, food, catering, venue hire). As a result 'Operating' costs are lower in 2009/10 than in previous years, due to the shift in where costs are allocated.

Members of the Board



ALAN BICKERS (CHAIRMAN)

Mr Bickers currently provides dispute resolution, management and governance services to public and private sector clients and is an independent resource consent commissioner for regional and territorial local authorities.

He holds a Bachelor of Engineering (Civil), Graduate Diploma in Business Studies (Dispute Resolution) and is a Chartered Professional Engineer. He is a Distinguished Fellow of the Institution of Professional Engineers New Zealand, a Fellow of the Arbitrators' and Mediators' Institute of New Zealand and a Justice of the Peace.

Mr Bickers has worked for four local authorities with his last position as Chief Executive of Tauranga City/District Council (1987-1995). He has served on the Standards Council of New Zealand (1993-1997), Bay of Plenty Health Board and on the Board of Transit New Zealand (1997-2004), where he was Chair for three and a half years. He has a lengthy involvement with the Institution of Professional Engineers New Zealand (including President 1991-1992) and many years' experience on the IPENZ Disciplinary Committee.

Mr Bickers was appointed in 2005 and is from Tauranga. Mr Bickers' current term expires in 2013.



PAUL BLACKLER (DEPUTY CHAIRMAN)

Mr Blackler is General Manager – Southern Region for Mainzeal Property and Construction Ltd.

Mr Blackler is a trade certified carpenter and has served on the Boards of Canterbury Registered Master Builders and Site Safe New Zealand. He is Chairman of the Christchurch Polytechnic Institute of Technology Trades Innovation Institute Advisory

Board, and is a member of the New Zealand Institute of Building (NZIOB).

In 1997, Mr Blackler received the NZIOB/James Hardie Award for Excellence in the Building Profession (residential).

Mr Blackler was appointed in 2005 and is from Christchurch. Mr Blackler's current term expires in 2015.



DAVID CLARK

Mr Clark is a Senior Partner of Wilson McKay, undertaking a range of commercial and civil litigation work. Clients include homeowners, developers, contractors, builders and financiers.

Mr Clark gained his Bachelor of Laws in 1987 and was admitted to the Bar in 1988. He is an Associate of the Arbitrators' and Mediators' Institute of New

Zealand and is currently engaged by the Department as a Weathertight Homes Resolution Service Mediator. He is also the former Chair of the Electricity and Gas Disputes Resolution Service and a Board member of Youthtown New Zealand.

Other professional activities include being a Code of Conduct Commissioner for New Zealand Cricket and a faculty member of the New Zealand Law Society Litigation Skills programme.

Mr Clark was appointed in 2005 and is from Auckland. Mr Clark's current term expires in 2015.



JANE CUMING

Ms Cuming is currently Building Standards Manager for PlaceMakers working with their suppliers and customers on regulatory changes at a technical level.

She is a trade certified carpenter and holds a Certificate in Teaching Adults. Previous roles include Education Advisor for the Building Industry Authority and Technical Sales Representative for James Hardie Building Products.

Ms Cuming is past President and current member of the National Association of Women in Construction.

Ms Cuming was appointed in 2005 and is from the Kapiti Coast.

Ms Cuming's current term expires in 2011.



PATRICK LAWRENCE

Mr Lawrence was the Building Controls Manager for the Rotorua District Council, a position he held from 1995 until his retirement at the end of 2005.

Mr Lawrence is a trade certified carpenter and a Justice of the Peace. He has served on Rotorua District Council since 2003.

Mr Lawrence has held a number of public sector roles, all related to the building industry. He has been President of the Waikato/ Bay of Plenty branch of the Building Officials Institute of New Zealand and acknowledged by Local Government New Zealand as a key contact for his peers on the Building Act 1991. He is currently Senior Vice President of the Rotorua and Districts Justices of the Peace Association.

Mr Lawrence was appointed in 2005 and is from Rotorua. Mr Lawrence's term expired in June 2010.



GRAHAM MOOR

Mr Moor is the Managing Director of Bay of Islands Roofing Ltd and oversees sales, training, work supervision and business management. Mr Moor has 17 years' experience in running a roofing business.

He holds National Certificates in three roofing types. He is a New Zealand Qualifications Authority Registered Industry Assessor. He is the President of the Roofing Association of New Zealand, was accepted as a member of the association in 1997, and has served on their executive since 2002. He is a member of their Technical Committee.

Mr Moor was appointed in 2005 and is from Waimate North in the Bay of Islands. Mr Moor's term expired in June 2010.



DAVID O'CONNELL

Mr O'Connell is currently National Secretary, New Zealand Building Trades Union (NZBTU), liaising widely with industry representatives and representing NZBTU on trade training organisations.

Mr O'Connell is a time-served carpenter and a Justice of the Peace.

Mr O'Connell has 30 years' experience with NZBTU, with current board appointments including Vice Chairman of the Joinery Industry Training Organisation and Board member of Site Safe New Zealand. He is also on the Board of the Building Construction Industry Training Organisation and a Board member of Unimed Medical Insurance. He has been a member on apprenticeship committees and training organisation boards setting competencies for trainees.

Mr O'Connell was appointed in 2005 and is from Banks Peninsula, Canterbury. Mr O'Connell's current term expires in 2011.



COLIN ORCHISTON

Mr Orchiston is Principal of Orchiston Architects Ltd: Architecture and Dispute Resolution. He is also a Senior Architect at CPG, a large multinational consulting firm in surveying, valuation, architecture and engineering. He is a Director of the New Zealand Architects Co-operative Society.

Mr Orchiston is a Registered Architect and holds qualifications in valuation and dispute resolution. He is a Fellow of the New Zealand Institute of Architects and of the Arbitrators' and Mediators' Institute of New Zealand. He serves on arbitration, adjudication and mediation panels for the latter. In 2003/04, he served as a Weathertight Homes Resolution Service Mediator.

Mr Orchiston was appointed in 2005 and is from Wellington. Mr Orchiston's current term expires in 2011.



Board Members

Top row (from left): Colin Orchiston, Patrick Lawrence, David O'Connell, Grahan Moor. Bottom row (from left): David Clark, Alan Bickers (Chairman), Paul Blackler (Deputy Chairman), Jane Cuming.

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